

BOARD BILL NO.195 INTRODUCED BY ALDERMAN SAMUEL MOORE

1 An Ordinance, recommended by the Board of Public Service of the City of St. Louis (the "Board
2 of Public Service"), establishing a public works and improvement project for the Newstead
3 Avenue Improvements involving various roadway infrastructure improvements and
4 enhancements from St. Louis Avenue to Natural Bridge Avenue (the "Newstead Avenue
5 Improvement Project"); authorizing and directing the City of St. Louis (the "City"), by and
6 through its Board of Public Service, to let contracts and provide for the design, construction,
7 materials, and equipment for the Newstead Avenue Improvement Project; authorizing the Board
8 of Public Service to employ labor and consultants, pay salaries, fees and wages, acquire any and
9 all said real and personal property rights and interests, in whole or in part, including easements
10 (by lease, purchase, condemnation, or otherwise), as necessary for completion of the Newstead
11 Avenue Improvement Project, and to enter into supplemental agreements with the Missouri
12 Highway and Transportation Commission, Federal Highway Administration, utilities, railroads,
13 and other governmental agencies as necessary for completion of the Newstead Avenue
14 Improvement Project, all in accordance with the federal Transportation Equity Act for the 21st
15 Century (23 U.S.C. § 110, *et seq.*), these agreements may include, but are not limited to, sections
16 for: description of the work, material guarantees, estimated expenditure allocations, fund
17 reversion authorization, applicable federal and state wage rate requirements, equal opportunity
18 provisions, the Mayor's Executive Orders, and contract advertising statutes; requiring that all
19 work provided for herein shall be carried out in accordance with detailed plans and specifications
20 adopted and approved by the Board of Public Service before bids are advertised therefor;
21 directing that all construction contracts let by authority of this Ordinance provide for federal and
22 state prevailing wage requirements, including prevailing wage holiday and overtime pay, and
23 compliance with all applicable statutes of the State of Missouri (Sections 290.210 through
24 290.340 of the Revised Statutes of Missouri 2000, as amended), the City Charter, City
25 ordinances including the "Complete Streets Policy, " (City Ordinance 68663), when applicable,
26 and the Revised Code of the City, as amended; requiring all specifications approved by the

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Board of Public Service and contracts let by authority of this Ordinance shall provide for: compliance with the Mayor's Executive Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization goals, except when superseded or prohibited by federal or state law or regulation; requiring that all contractor's shall comply with the provisions of Sections 285.525 through 285.555 of the Revised Statutes of Missouri 2000, as amended, by requiring enrollment and participation in a federal work authorization program and agreeing not to knowingly employ unauthorized aliens; requiring that all contractor's shall comply with the provisions of Section 292.675 of the Revised Statutes of Missouri 2000, as amended, by providing a ten-hour Occupational Safety and Health Administration construction safety program for their on-site employees; requiring that all contractor's shall comply with the provisions of Section 34.057 of the Revised Statutes of Missouri 2000, as amended, (Prompt Payment/Retainage), as applicable; requiring the furnishing of a bond by every contractor on this public works project pursuant to the provisions of Section 107.170 of the Revised Statutes of Missouri 2000, as amended; requiring compliance with Section 34.353 of the Revised Statutes of Missouri 2000, as amended (Domestic Product Procurement Act – Buy American); requiring all advertisements for bids pursuant to this Ordinance be subject to the provisions of Section 8.250 of the Revised Statutes of Missouri 2000, as amended; appropriating the total estimated cost of the Newstead Avenue Improvement Project of One Million, Eight Hundred Fifty Thousand Dollars (\$1,850,000.00) from various sources including the Federal Highway Administration Moving Ahead for Progress in the 21st Century (MAP-21), and the One-Half Cent Ward Capital Improvement Fund; authorizing and directing the Comptroller of the City to draw warrants from time to time and disburse funds appropriated by this Ordinance and to receive and disburse grant funds in accordance with the Transportation Equity Act of the 21st Century (23 U.S.C. § 110, *et seq.*) upon the signature and certification of vouchers by the President of the Board of Public Service; and containing a public work emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

1 SECTION ONE. There is hereby authorized a public works and improvement project for the
2 Newstead Avenue Improvement Project involving various roadway infrastructure improvements
3 and enhancements from St. Louis Avenue to Natural Bridge Avenue (the “Newstead Avenue
4 Improvement Project”).

5 SECTION TWO. The City of St. Louis (the "City"), by and through its Board of Public Service
6 (the "Board of Public Service"), is hereby authorized and directed to let contracts and provide for
7 the design, construction, materials, and equipment, for the Newstead Avenue Improvement
8 Project, to employ labor and consultants, pay salaries, fees and wages, to acquire any and all said
9 real and personal property rights or interests, in whole or in part, including easements (by lease,
10 purchase, condemnation, or otherwise) for the completion of the Newstead Avenue Improvement
11 Project, to enter into supplemental agreements with the Missouri Highway and Transportation
12 Commission, Federal Highway Administration, utilities, railroads, and other governmental
13 agencies, all in accordance with the federal Transportation Equity Act for the 21st Century (23
14 U.S.C. § 110, *et seq.*), these agreements may include, but are not limited to, sections for:
15 description of the work, material guarantees, estimated expenditure allocations, fund reversion
16 authorization, applicable federal and state wage rate requirements, equal opportunity provisions,
17 the Mayor’s Executive Orders, and contract advertising statutes.

18 SECTION THREE. The work provided for herein shall be carried out in accordance with
19 detailed plans and specifications to be adopted and approved by the Board of Public Service
20 before bids are advertised therefor.

21 SECTION FOUR. All construction contracts let under authority of this Ordinance shall provide
22 that no less than the prevailing hourly rate of wages in the City shall be paid, as determined in
23 accordance with the Federal Davis-Bacon Act and by the Department of Labor and Industrial
24 Relations of the State of Missouri (Sections 290.210 through 290.340 of the Revised Statutes of
25 Missouri 2000, as amended) for each craft or type of work needed in the actual labor on the jobs
26 herein authorized, as well as the general prevailing rate of pay for legal holidays and overtime

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work shall be paid to all workers on the Newstead Avenue Improvement Project. All contracts let in connection with the construction provided for herein shall be subject to, and in conformance with all applicable statutes of the State of Missouri, the City Charter, City ordinances, and Revised Code of the City, as amended, including any applicable City codes, rules and regulations. All contracts let in connection with the construction provided for herein shall require contractor's enrollment and participation in a federal work authorization program and an affirmation that contractor does not knowingly employ unauthorized alien employees pursuant to Sections 285.525 through 285.555 of the Revised Statutes of Missouri 2000, as amended, require contractor provide a ten-hour Occupational Safety and Health Administration construction safety program for their on-site employees as required by the provisions of Section 292.675 of the Revised Statutes of Missouri 2000, as amended, as applicable, require the contractor(s) to comply with the provisions of Section 34.057 of the Revised Statutes of Missouri 2000, as amended (Prompt Payment/Retainage), require the furnishing of a bond by every contractor on this public works project pursuant to the provisions of Section 107.170 of the Revised Statutes of Missouri 2000, as amended, and require contractor(s) to comply with Section 34.353 of the Revised Statutes of Missouri 2000, as amended (Domestic Product Procurement Act – Buy American).

SECTION FIVE. All specifications approved by the Board of Public Service and contracts let under the authority of this Ordinance shall provide for compliance with the Mayor's Executive Orders on Equal Opportunity and maximum MBE/WBE/DBE utilization goals, except when otherwise superseded or prohibited by federal or state law or regulation.

SECTION SIX. All advertisement for bids pursuant to this Ordinance shall be subject to Section 8.250 of the Revised Statutes of Missouri 2000, as amended.

SECTION SEVEN. The total estimated cost of the Newstead Avenue Improvement Project is One Million, Eight Hundred Fifty Thousand Dollars (\$1,850,000.00) of which the federal share is One Million, Four Hundred Eighty Thousand Dollars (\$1,480,000.00) from the Federal September , 2013

1 Highway Administration Moving Ahead for Progress in the 21st Century (MAP-21) to be
2 appropriated from the Federal Aid to Urban Program Match Share Fund, also known as the
3 Federal Aid to Urban Program Revolving Fund, established by Ordinance 56931, and the
4 remaining local match share is Three Hundred Seventy Thousand Dollars (\$370,000.00) to be
5 appropriated from the One-Half Cent Ward Capital Improvement Fund. Said improvements shall
6 be contracted and executed in parts as funds are accrued in the Match Share Fund and are
7 adequate to pay the City's share of the cost.

8 SECTION EIGHT. The Comptroller of the City is hereby authorized and directed to draw
9 warrants from time to time and disburse funds appropriated by this Ordinance and is further
10 authorized and directed to receive and disburse grant funds in accordance with the
11 Transportation Equity Act of the 21st Century (23 U.S.C. § 110, *et seq.*), upon the signature and
12 certification of vouchers by the President of the Board of Public Service. Reimbursement funds
13 received shall be deposited into the Federal Aid to Urban Program Match Share Fund Ordinance
14 56931.

15 SECTION NINE. The Board of Public Service is hereby authorized to accept on behalf of the
16 City monetary donations from other governmental agencies and others to assist in paying for the
17 work authorized in this Ordinance. Funds received shall be deposited into the Newstead Avenue
18 Improvement Project Account.

19 SECTION TEN. This being an Ordinance providing for public work and improvement, it is
20 hereby declared to be an emergency measure as defined in Article IV, Sections 19 and 20 of the
21 City Charter and shall become effective immediately upon its passage and approval by the
22 Mayor of the City.